

IN RE: PETITION FOR SPECIAL EXCEPTION
SNC of Hooks Lane & Park Heights Avenue
(1 Grist Mill Court)
3rd Election District
2nd Councilmanic District
Council of Unit Owners of Annen Woods Condominium No. 5, Petitioner
Bell Atlantic Mobile Systems, Inc., Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF
* BALTIMORE COUNTY
* CASE NO. 93-461-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception. The Joint Petitioners herein, the Council of Unit Owners of Annen Woods Condominium No. 5 (the property owner) and Bell Atlantic Mobile Systems, Inc. (the proposed lessee, hereinafter referred to as "Bell Atlantic"), request approval for a special exception to operate three wireless transmitting and receiving structures atop building No. 5 of the Annen Woods Condominium located at the above-referenced address, all in accordance with Petitioner's Exhibit 1 which was submitted at the time of the hearing.

Appearing at the public hearing on behalf of Bell Atlantic were Richard R. Dolson, the General Manager for the Baltimore/Washington Bell Atlantic Mobile Network and Richard W. Goodman, the Construction Engineer for the Baltimore/Washington Bell Atlantic Network. Also appearing on behalf of the Petitioner was Edward Marquez, Bell Atlantic's Manager of Network Engineering, and William P. Monk, a professional land planner in Baltimore County. The Petitioner was represented by Robert A. Hoffman, Esquire. There were no protestants present.

Initial testimony at the hearing indicated that the subject property, zoned DR-16, is located at the intersection of Hooks Lane & Park Heights Avenue in Pikesville, Maryland. The site is comprised of a six-story condominium, currently known as Annen Woods Condominium No. 5, which is owned by the Council of Unit Owners of Annen Woods Condominium No. 5. Bell Atlantic has filed the instant petition to permit the construction and operation of three wireless transmitting and receiving structures (each one comprised of three individual directional antennas) (hereinafter referred to as the "antennas"). The three antennas would be attached to the side of the existing equipment/elevator room which is located on the roof of the condominium building. In addition, an equipment room containing switching gear and other apparatus would be located in the basement of the building. Each of the three antennas would be mounted flush on one of the outside walls of the equipment/elevator room and occupy an area on the room's outside wall approximately 4 x 18 feet. When mounted, the antenna would not protrude above the top of the equipment/elevator room.

Mr. Hoffman, counsel for the Petitioner, proffered testimony for Mr. Dolson, Mr. Goodman and Mr. Marquez of Bell Atlantic. The testimony proffered for Mr. Dolson explained the background of cellular telephones in general as well as in the Baltimore area and demonstrated how Bell Atlantic generates and utilizes "grouping patterns" for the efficient delivery of its services. Testimony was similarly proffered for Mr. Dolson indicating that the increase in the use of the cellular telephone has resulted in the need for Bell Atlantic to construct more transmitters (known as "cell" sites) in order to provide customers with "seamless" telephone coverage in the

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Baltimore area. Without more transmitters, Bell Atlantic's cellular telephone customers would be unable to travel in the Baltimore area with the assurance that their phone conversations would not be cut off by gaps in coverage. In support of this testimony, Bell Atlantic submitted a plan, entered as Exhibit No. 4, which shows the location of existing cell sites in the Baltimore area and where cellular telephone coverage is insufficient by Bell Atlantic's standards. In addition, Mr. Marquez demonstrated why the location at the Annen Woods Condominium was chosen by Bell Atlantic as its next cell site in order to improve coverage.

Mr. Hoffman next proffered testimony as to the specific characteristics of the subject Annen Woods Condominium site. As is required by §502.7.C.10 of the Baltimore County Zoning Regulations ("B.C.Z.R."), the Petitioner submitted an environmental impact statement (Exhibit No. 5) which confirmed that the proposed antennas would not have a substantial adverse impact on the environment. Also, a study was done to confirm that there would be no adverse impact on anyone who might work on the roof in proximity to the antennas. Moreover, the location and design of the proposed antennas were described and illustrated via testimony of Mr. Goodman and Mr. Marquez as well as photographs, which were submitted as Exhibits No. 2(a) - 2(c). These photographs confirmed that the antennas atop the Annen Woods Condominium building would have little, if any, visual impact. Finally, testimony was proffered for Mr. Monk, Bell Atlantic's expert land planner, indicating that the proposed antennas would have no adverse impact on the surrounding properties. Mr. Monk's conclusions regarding the impact of the proposed antennas were substantiated via photographs of the building

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and the surrounding area which were submitted as Petitioner's Exhibits No. 3(a) - 3(d).

Initially, I note that wireless transmitting and receiving structures are permitted in DR-16 zones by special exception, pursuant to §1801.1.C.20 B.C.Z.R. Moreover, §502.1 of the B.C.Z.R. requires that before any special exception may be granted, I must first determine that the use for the special exception is requested will not:

- be detrimental to the health, safety or general welfare of the locality involved;
- tend to create congestion in roads, streets or alleys therein;
- create a potential hazard from fire, panic or other dangers;
- tend to overcrowd land and cause undue concentration of population;
- interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvement;
- interfere with adequate light and air;
- be inconsistent with the purposes of the properties zoning classification nor in any other way inconsistent with the spirit and intent of these zoning regulation; nor
- be inconsistent with the impermeable surface and vegetative retention provisions of these zoning regulations.

In addition to the requirements of §502.1, §502.7 imposes specific regulations regarding the granting of special exceptions for wireless transmitting and receiving structures such as the one requested herein. It should be noted, however, that pursuant to §502.7.D. the provisions of subparagraphs 502.7.C.1,2,3,4 and 5 do not apply to the wireless transmitters requested by Bell Atlantic

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since they will be mounted on an existing structure (i.e. the apartment building) over fifty feet in height. Notwithstanding this, Bell Atlantic must still comply with the remaining requirements of §502.7.C as follows:

- Environment Protection Agency standards and guidelines relating to radiation emissions shall be met at all times;
- When the use is terminated, the structure shall be removed;
- Every five years, or sooner in the event of substantial damage, a certification by a professional engineer registered in Maryland shall be filed with the Department of Permits and Licenses indicating that the aforementioned structure meets all safety requirement. Any upgrading or maintenance required to comply with any changes in the safety requirement, or to maintain the safety thereof, shall be performed prior to the filing of such certification;
- No white stroboscopic lights are permitted; and
- In order to insure against adverse effects on its surroundings, an environmental impact statement, as defined in Section 101, shall be submitted to the Zoning Commissioner.

It is clear from the testimony and evidence that without the requested special exception the quality of Petitioner's services would be adversely affected. Moreover, I find that the Petitioner has met the special exception requirements contained in §502.1 and §502.7 of the B.C.Z.R. The wireless transmitting and receiving structures located on the roof of the Annen Woods Condominium No. 5 will not be detrimental to the health, safety or general welfare of the surrounding population. I also find that sufficient evidence has been presented to conclude that the wireless transmitter will not impair the use or value of the neighboring properties. Finally, I find that the special exception will not be contrary to the spirit and intent of the Zoning Regulations.

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Pursuant to the advertisement, posting of the property, and public hearing held on this Petition, and for the reasons given above, the requested Special Exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 3rd day of August, 1993, that the Petition for Special Exception pursuant to §1801.1.C.20 B.C.Z.R. to allow for the construction and operation of three wireless transmitting and receiving structures in a DR-16 zone, in accordance with Petitioner's Exhibit No. 1, be and is hereby GRANTED, subject to the following restrictions:

- The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the thirty (30) day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

- A sign shall be posted on the doorway which accesses the subject roof, stating that radio transmitters are in operation on the rooftop.

Any appeal of this decision must be taken in accordance with §26-132 of the Baltimore County Code.

TIMOTHY M. KOTROCCO
Deputy Zoning Commissioner for Baltimore County

ORDER0008.GPW

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

August 4, 1993

(410) 887-4386

G. Paige Wingert, Esquire
Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
SW/Corner Hooks Lane and Park Heights Avenue
(1 Grist Mill Court)
3rd Election District - 2nd Councilmanic District
Council of Unit Owners of Annen Woods Condominium No. 5 - Petitioners
Case No. 93-461-X

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

Petition for Special Exception 93-461-X to the Zoning Commissioner of Baltimore County

for the property located at No. 1 Gristmill Court
Pikesville, Maryland 21208
which is presently zoned DR 16

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for a wireless transmitting and receiving structure pursuant to section 1801.1.C.20 of the Baltimore County Zoning Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and use to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Legal Owner(s)
Council of Unit Owners of Annen Woods Condominium No. 5

By: Robert A. Hoffman, Esquire
Richard W. Goodman, Engineer-Construction (Agent)
5631 Baltimore National Pike
Catonsville, MD 21228

No. 1 Grist Mill Court 484-2273
Pikesville, MD 21208
City, State, and phone number of legal owner, (410) 887-4386 purchase or representative to be contacted

Robert A. Hoffman
210 Allegheny Ave., Towson, MD 21204
TOWSON, MD 21204

ESTIMATED LENGTH OF HEARING: 15 minutes
REVIEWED BY: DATE: 8/4/93

463



93-461-X

DESCRIPTION OF
0.1293 ACRE PARCEL
BEING A PORTION OF THE AMENDED PLAT OF SECTION 1
THE VILLAGE

This Description is for a Special Exception.

COMMENCING FOR THE SAME at the intersection of the southerly side of Hooks Lane and the westerly side of Park Heights Avenue, thence binding on the westerly side of Park Heights Avenue, South 24 degrees 53 minutes 49 seconds East 345.51 feet and southerly by a curve to the left 86.54 feet, by the arc, said curve having a radius of 7,719.44 feet and chord of South 25 degrees 13 minutes 06 seconds East 86.57 feet, thence leaving Park Heights Avenue, South 65 degrees 06 minutes 11 seconds West 29.94 feet to the POINT OF BEGINNING, thence running around the Special Exception Parcel,

- 1) South 24 degrees 53 minutes 49 seconds East 97.00 feet
- 2) South 65 degrees 06 minutes 11 seconds West 65.93 feet
- 3) North 24 degrees 53 minutes 49 seconds West 52.00 feet
- 4) North 65 degrees 06 minutes 11 seconds East 17.00 feet
- 5) North 24 degrees 53 minutes 49 seconds West 45.00 feet
- 6) North 65 degrees 06 minutes 11 seconds East 48.93 feet to the POINT OF BEGINNING.

Saving and excepting therefrom those portions of the East Building that are private condominium residences and all those "common areas" not required for the Bell Atlantic Equipment.

AP/dgj KCI Job No. 01-92121SX June 7, 1993

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C. Allen Ray

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: 7/1/93
Posted for: Special Exception
Petitioner: Bell Atlantic Mobile Systems
Location of property: 2101 Gristmill Court, Towson, Maryland
Location of Sign: Front, southerly side of Hooks Lane, across 100' E. from Park Heights Ave.
Remarks: [Signature]
Posted by: [Signature] Date of return: 7/14/93
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 8, 1993
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on July 8, 1993.

THE JEFFERSONIAN.

[Signature]
Publisher

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-4190
Number

receipt

Date

Cover 1 of Unit Owners of
Annen Woods Condo No. 5
#1 GRISTMILL COURT
050-SPX \$300
080-15m 35
335

Item # 463
CAM

Please Make Checks Payable to Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

JUNE 30, 1993

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-461-X (Item 463)
Portion of #1 Gristmill Court
SW Hooks Lane and Park Heights Avenue
3rd Election District - 2nd Councilmember
Owner(s): Council of Unit Owners of Annen Woods Condominium No. 5
Petitioner(s): Bell Atlantic Mobile Systems
HEARING: MONDAY, JULY 26, 1993 at 10:00 a.m. in Rm. 118, Old Courthouse.

Special Exception for a wireless transmitting and receiving structure.

[Signature]
Arnold Jablon
Director

cc: Council of Unit Owners of Annen Woods Condominium No. 5
1 Grist Mill Court/Pikesville MD 21208
Richard W. Goshen/Bell Atlantic Mobile Systems/5631 Baltimore National Pike/Catonsville 21228
Robert A. Hoffman, Esq./210 Allegheny Avenue/Towson MD 21204

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE PUBLIC AFFAIRS; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 19, 1993

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, MD 21204

RE: Case No. 93-461-X, Item No. 463
Petitioner: Council of Unit Owners of
Annen Woods Condominium No. 5 &
Bell Atlantic Mobile Systems
Petition for Special Exception

Dear Mr. Hoffman:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on June 21, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

SHA Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

7-7-93

Ms. Helene Kehring
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: BALTO. CO.
Item No: 463 (CAM)

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

[Signature]
John Contestable, Chief
Engineering Access Permits
Division

BS/

My telephone number is

Teletypewriter for Impaired Hearing or Speech
383-7855 Baltimore Metro - 885-5451 D.C. Metro - 1-800-495-5853 Statewide Toll Free
787 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: July 1, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 449, 451, 452, 463, 464, 465, 486, 469 and 472.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: [Signature]

Division Chief: [Signature]

PK/JL:lw

449.ZAC/ZAC1

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

July 13, 1993

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson JLP/JPM
Development Coordinator, DEPRM

SUBJECT: Zoning Item #463
Bell Atlantic Mobile Systems, 1 Grist Mill Court
Zoning Advisory Committee Meeting of July 6, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

The placement of a cellular phone (microwave) antenna array on the roof of the building at #1 Gristmill Court may create exposure levels on the roof in excess of the 2.8 mW/cm² ANSI standard. (The FCC enforces the ANSI standards as a licensing requirement.) This would subject anyone working on the roof for any length of time to an unacceptable microwave exposure risk. We recommend the following:

1. Bell Atlantic should demonstrate to Baltimore County either by taking measurements when the installation is completed or by providing the theoretical roof-level exposure calculations, that the microwave levels do not exceed the ANSI standard.
2. It is recommended that a sign be posted near all roof access doors warning of the presence of microwave radiation.

If there are any questions, the applicant may contact Steve Reekie of Air Quality at 887-3775.

JLP:jbm
BELLATLA/TXTSDB

INTER-OFFICE CORRESPONDENCE

```
#402 - Space shall comply with the 1991 Life Safety Code.
#456 - No comments
#462 - No comments
#463 - Site shall not interfere with Baltimore County's
      800 Megahertz Radio Capability.
#464 - No comments
#465 - No comments
#466 - No comments
#467 - No comments
#468 - No comments
#469 - No comments
#470 - Building shall comply with the 1991 Life Safety Code.
#471 - Did not receive plan.
#472 - No comments.
```

RECEIVED
JUL 8 1993

ZADM

JLP/dal
cc: File

CPS-008

ENTRY OF APPEARANCE

Peter Max Zimmerman
Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Carole S. Demilio
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY that on this 13th day of July, 1993,
a copy of the foregoing Entry of Appearance was mailed to Robert A.
Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Ave., Towson,
MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

RECEIVED
JUL 18 1997

JUL 18 1993
ZADM

Inter-Office Correspondence

Our concerns about the proposed cellular phone antennas on the roof of 1 Gristmill Court were not addressed in the opinion rendered by the Deputy Zoning Commissioner on August 3, 1993. To satisfy those concerns, we would need to receive some documentation that indicates that Bell Atlantic is aware of, and in compliance with, all pertinent FCC-specific human exposure guidelines for radiofrequency radiation. Specifically, as our earlier comments indicated, which include the following: (a) the maximum (mW/cm²) at the frequencies of interest, on the roof area. The Environmental Impact Statement submitted by the petitioner does not address this matter.

DF/mdb
cc: J. James Dieter
Stephan Reekie
Larry Pilson
ZIMMERMA/txtmdb

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

<u>NAME</u>	<u>ADDRESS</u>
Rob Hoffman	216 Alpege Ave 2114
Ed Marvace	5231 Bois Vert Plac "Barnhill 21202"
Chuck Phillips	1020 Greenleaf Pkwy Rd 21256
Richard Goodman	5231 Bullard Pls Rd Columbus 21228
Rich Nelson	" "
Bill Monk	222 Bysset Ave SUITE B-7 TAMMSON RD 21264

Bell Atlantic
Mobile Systems

Richard E. Dolson
General Manager
Washington/Baltimore Network Engineering

Bell Atlantic Mobile Systems, Inc.
5631 Baltimore National Pike
Catonsville, MD 21228
410 404-4444
Mobile 410 404-5444

© Bell Atlantic Mobile

Edward Marquez
Manager - Network Engineering
Bell Atlantic Mobile
3631 Baltimore National Pike
Catoonsville, MD 21228
Contact me +10 719-5007

 Printed with Soybean Ink
on Recycled Paper

Petitioner's
Exhibits VA-VC
3 photographs
Case 93-461-X

WILLIAM MONK, INC.
 Courthouse Commons
 222 Bosley Avenue, Suite B-7
 Towson, Maryland 21204-4300

PARK HEIGHTS AVENUE

**VIEW
LOOKING
NORTH**



**VIEW
LOOKING
SOUTH**



3B

WILLIAM MONK, INC.
 Courthouse Commons
 222 Bosley Avenue, Suite B-7
 Towson, Maryland 21204-4300

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING



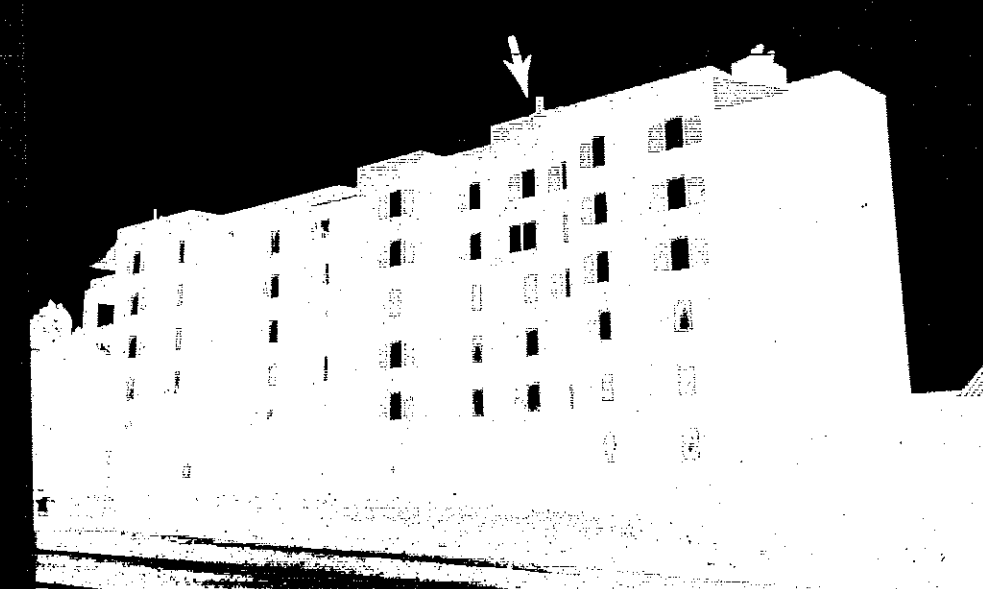
CONDOMINIUM/PENTHOUSE - VIEW LOOKING EAST



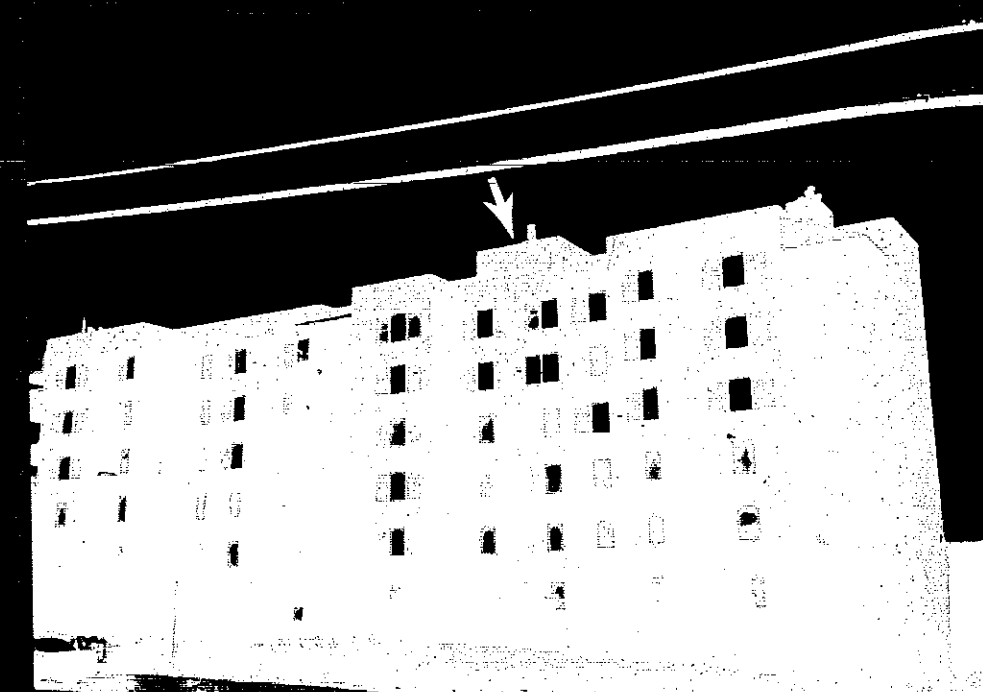
30

WILLIAM MONK, INC.
Courthouse Commons
222 Bosley Avenue, Suite B-7
Towson, Maryland 21204-4300

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING



**CONDOMINIUM/PENTHOUSE - VIEW LOOKING WEST
FROM PARK HEIGHTS AVENUE**



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ENVIRONMENTAL IMPACT STATEMENT

PIKESVILLE SITE
ANNEN WOODS CONDOMINIUM #5
1 GRISTMILL COURT
BALTIMORE, MD 21208

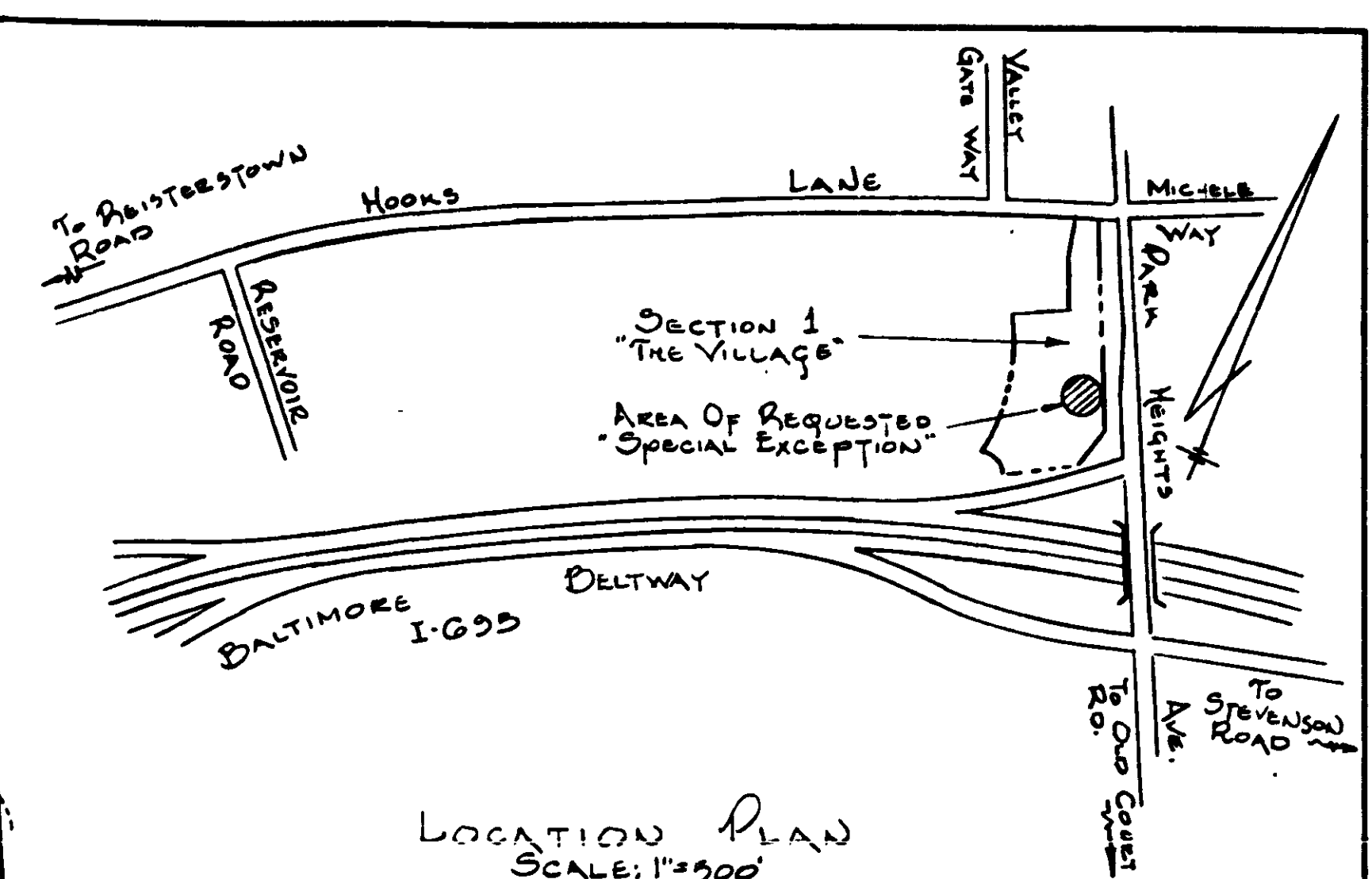
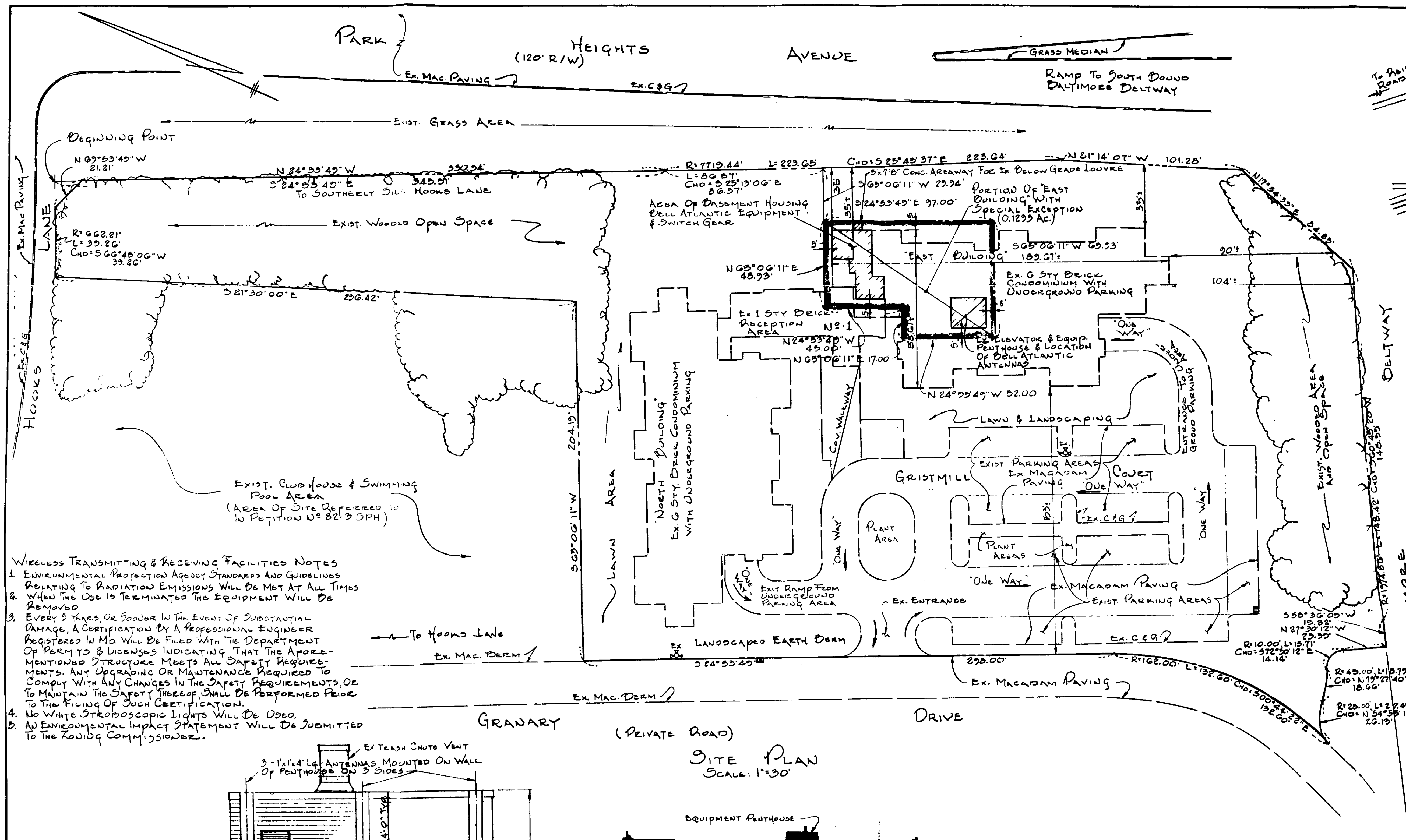
Submitted to:
BALTIMORE COUNTY ZONING OFFICE

Submitted by:
BELL ATLANTIC MOBILE

June 25, 1993

**PETITIONER'S
EXHIBIT 5**

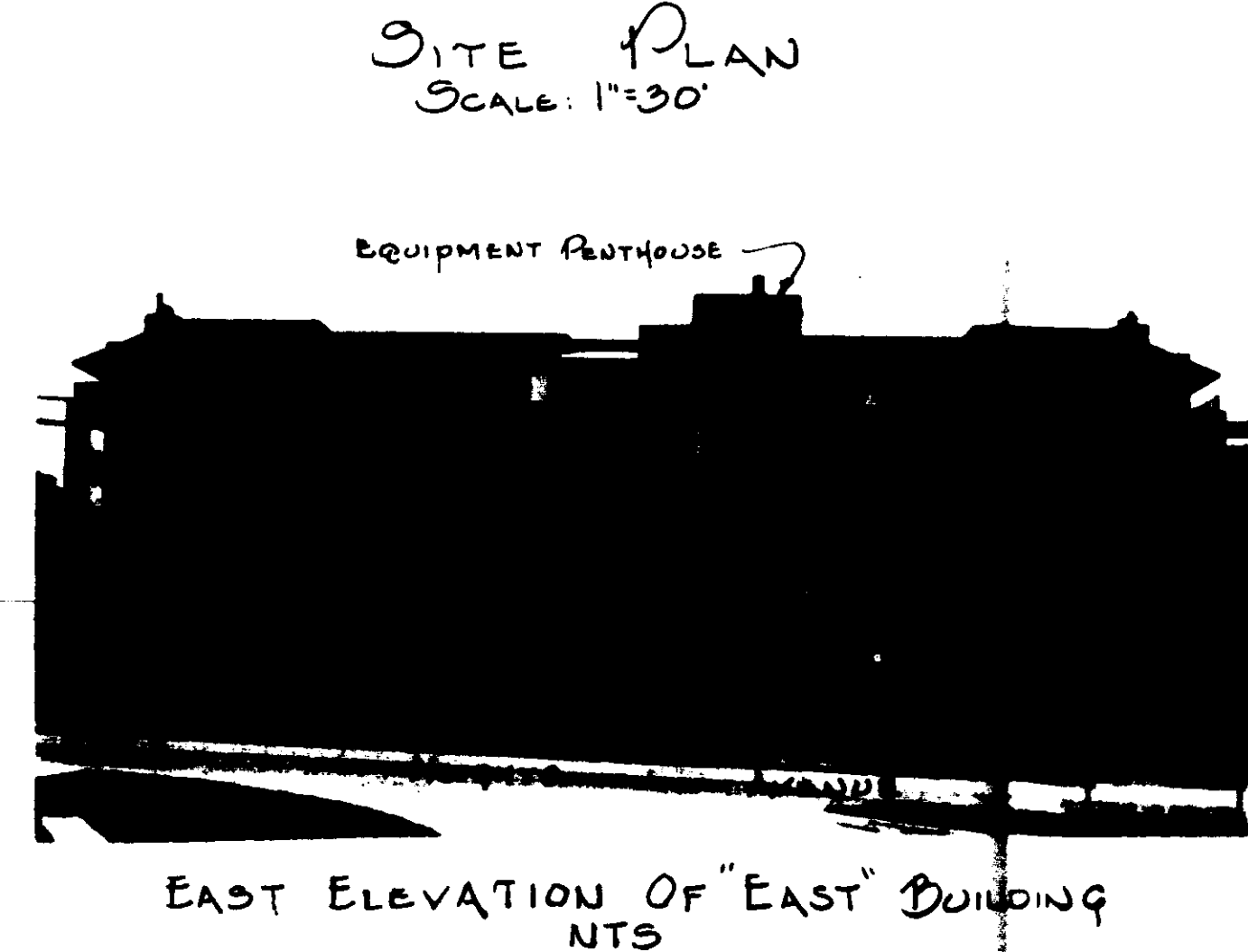
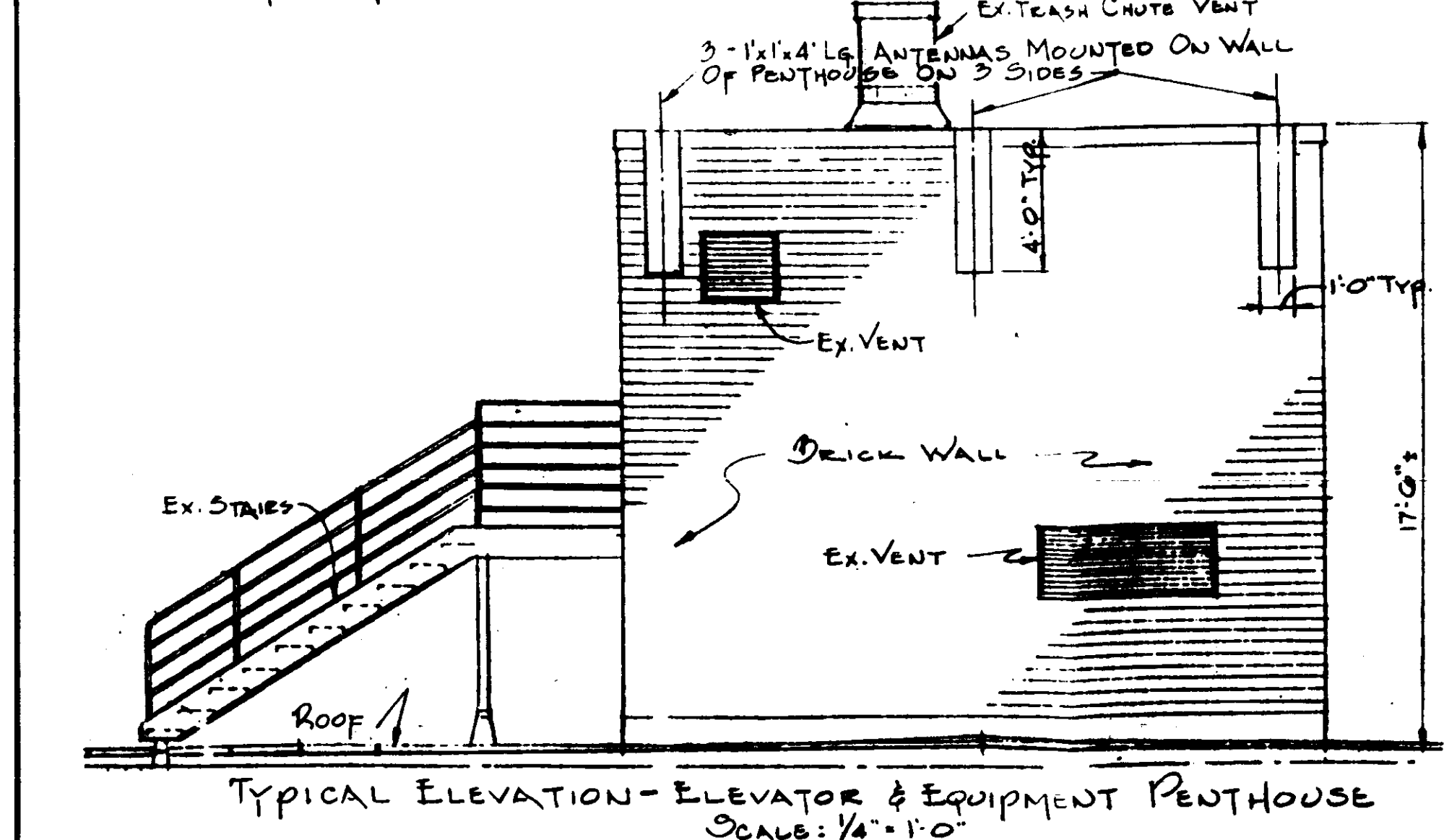




WIRELESS TRANSMITTING & RECEIVING FACILITIES NOTES

1. ENVIRONMENTAL PROTECTION AGENCY STANDARDS AND GUIDELINES RELATING TO RADIATION EMISSIONS WILL BE MET AT ALL TIMES
2. WHEN THE USE IS TERMINATED THE EQUIPMENT WILL BE REMOVED
3. EVERY 5 YEARS, OR SOONER IN THE EVENT OF SUBSTANTIAL DAMAGE, A CERTIFICATION BY A PROFESSIONAL ENGINEER REGISTERED IN MD WILL BE FILED WITH THE DEPARTMENT OF PERMITS & LICENSES INDICATING THAT THE ABOVE-MENTIONED STRUCTURE MEETS ALL SAFETY REQUIREMENTS. ANY UPGRADING OR MAINTENANCE REQUIRED TO COMPLY WITH ANY CHANGES IN THE SAFETY REQUIREMENTS, OR TO MAINTAIN THE SAFETY THEREOF, SHALL BE PERFORMED PRIOR TO THE FILING OF SUCH CERTIFICATION.
4. NO WHITE STROBOSCOPIC LIGHTS WILL BE USED.
5. AN ENVIRONMENTAL IMPACT STATEMENT WILL BE SUBMITTED TO THE ZONING COMMISSIONER.

- GENERAL NOTES**
1. TOTAL AREA OF THE VILLAGE-SECTION 1 = 3.7127 ACRES
 2. GROSS AREA = 3.89 ACRES
 3. EXISTING ZONING OF PROPERTY - "DR-16"
 4. EXISTING USE OF PROPERTY - 2 SIX STORY BRICK CONDOMINIUM BUILDINGS WITH UNDERGROUND PARKING
 5. PUBLIC UTILITIES SERVE THE SITE FROM HOOKS LANE & PARK HEIGHTS AVENUE.
 6. PRIVATE UTILITIES SERVE "THE VILLAGE-SECTION 1". SITE ACCESS IS BY WAY OF PRIVATE ROADS (GRANARY DRIVE) FROM HOOKS LANE
 7. TRASH COLLECTION IS BY A PRIVATE CONTRACTOR
 8. PROPOSED AUXILIARY USE OF A PORTION OF THE PROPERTY IS A "BELL ATLANTIC MOBILE CELLULAR TELEPHONE FACILITY" (SPECIAL EXCEPTION REQUIRED)
 9. MOBILE CELLULAR TELEPHONE FACILITY:
 - A. SWITCHING GEAR AND EQUIPMENT WILL BE LOCATED & HOUSED IN THE BASEMENT OF THE "EAST" BUILDING IN ITS NORTHEAST CORNER (SEE SITE PLAN)
 - B. ANTENNAS WILL BE "WALL MOUNTED" ON THE SIDE WALLS OF THE ELEVATOR & EQUIPMENT PENTHOUSE. ANTENNAS WILL NOT EXTEND ABOVE THE PENTHOUSE ROOF. (SEE SITE PLAN FOR PENTHOUSE LOCATION, SEE PENTHOUSE ELEVATION FOR ANTENNA DETAIL)
 - C. THERE IS NO REQUIREMENT BY BELL ATLANTIC FOR OFF-STREET PARKING.
 - D. THERE WILL BE NO INTERFERENCE TO OR REMOVAL OF EXISTING LANDSCAPING ON THE PROPERTY
 - E. THERE WILL BE NO INTERFERENCE TO THE EXISTING OPEN SPACE ON THE PROPERTY.
 10. AREA OF PROPERTY FOR THE SPECIAL EXCEPTION IS 0.1293 ACRES
 11. EXISTING BUILDING HEIGHT FROM FINISHED GRADE TO THE ROOF PARAPET IS AN AVERAGE OF 65'1"



PRIOR ZONING CASES ON THE SITE

1. CASE NO. 63-100-RK: PETITION FOR RECLASSIFICATION OF PROPERTY FROM "R-20" & "R-40" ZONES TO AN "R-A" ZONE. SPECIAL EXCEPTION FOR ELEVATOR APARTMENT BUILDINGS. GRANTED BY BALTIMORE CO. BOARD OF APPEALS JUNE 11, 1964. GRANTED BY THE COURT OF APPEALS OF MARYLAND FEB. 2, 1966.
2. CASE NO. 82-3-SPH: PETITION FOR SPECIAL HEARING TO AMEND THE PARTIAL DEVELOPMENT PLAN OF THE VILLAGE-SECTIONS 1, 2, 3 & 4 TO EXPAND THE EXIST. SWIMMING POOL DECK (AMENDMENT NO. 7) AMENDMENT NO. 7 GRANTED AUG. 20, 1981. SUBJECT TO THE PLAN BEING APPROVED BY THE DIRECTOR OF THE OFFICE OF PLANNING AND ZONING AND THE ZONING COMMISSIONER.

93-461-X

SITE INFORMATION
 ELECTION DISTRICT: 3
 COUNCILMANIC DISTRICT: 2
 CENSUS TRACT: 4037.01
 DEED REF: 7936-006
 ACCT NO: 14-09-04010

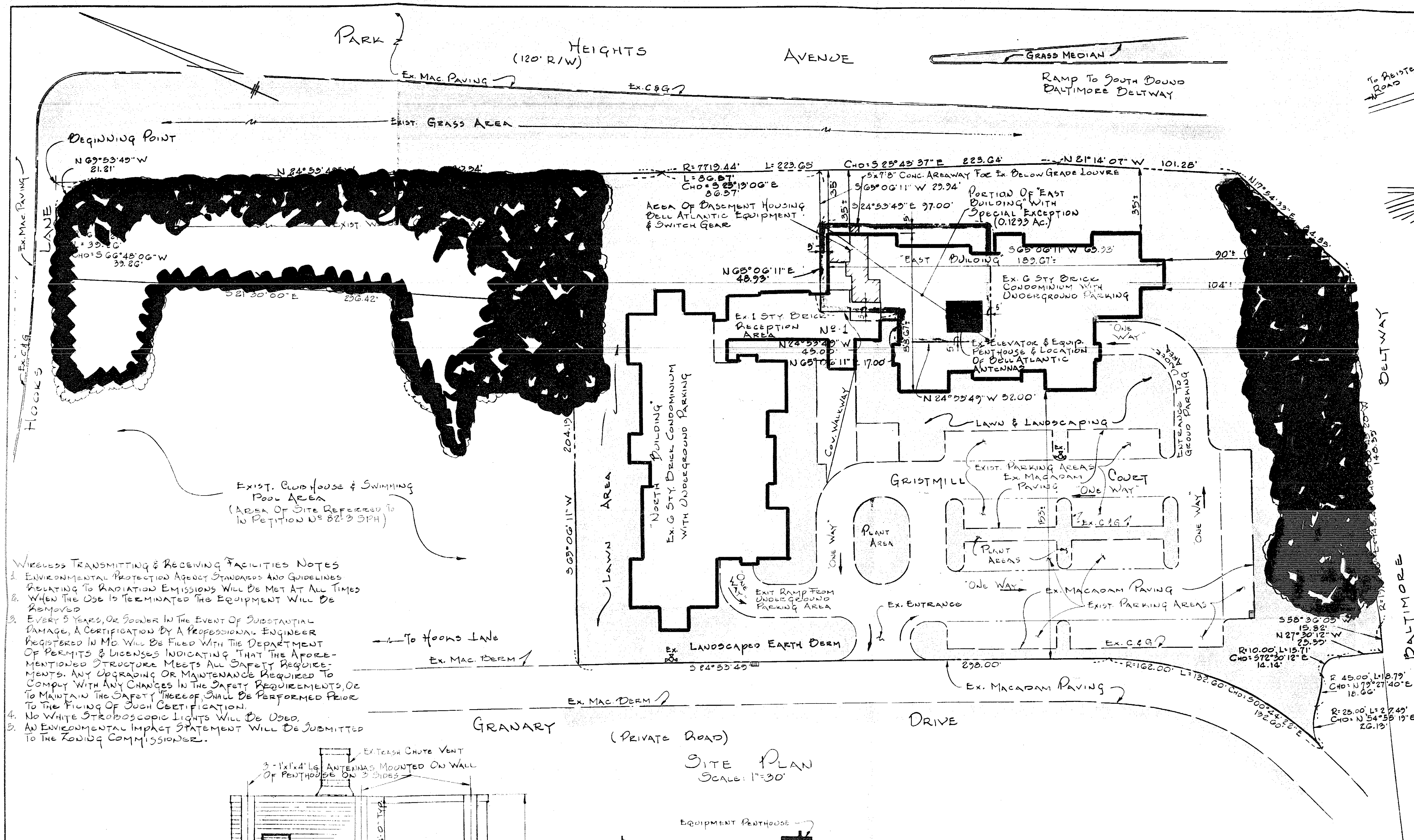
PETITIONER
 BELL ATLANTIC MOBILE
 5651 BALTIMORE NATIONAL PIKE
 CATOWVILLE, MARYLAND 21228
 ATTN: RICHARD W. GOODMAN 410-404-4441

SCHEDULE OF REVISIONS				
REV. NO.	DESCRIPTION OF CHANGES	DRAWN BY	AUTH. BY	DATE
7				
6				
5				
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2				
1				
0				

KCI TECHNOLOGIES INC.
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 BALTIMORE, MARYLAND 21286-9279 (410) 321-3300

**@Bell Atlantic
 Mobile Systems**
 180 WASHINGTON VALLEY ROAD
 BEDMINSTER, N.J. 07921

APPROVED BY:	DRAWING TITLE:	DRAWING ISSUE STATUS CURRENTLY -
DIRECTOR-IMPLEMENTATION	DATE:	A - ISSUED FOR PRELIMINARY INFORMATION ONLY
		B - ISSUED FOR MUNICIPAL REVIEWS/APPROVALS
		C - ISSUED FOR CONSTRUCTION PERMITS BIDS
		D - ISSUED FOR CONSTRUCTION
		E - (ISPCIP)
PROJECT:	PROPOSED CELLULAR TELEPHONE FACILITY - THE VILLAGE AT ANNEN WOODS, PINEVILLE, MARYLAND	FIRST ISSUE:
PROPERTY OWNER:	THE COUNCIL OF UNIT OWNERS OF ANNEN WOODS CONDOMINIUM NO. 1	DRAWN BY:
	NO. 1 GRISTMILL COURT, PINEVILLE, MD. 21208	CHECKED BY:
		SCALE AS SHOWN:
		SHEET NO. 1 OF 1
		PROJECT NO.:
		PRINT DATE:
		DOCUMENT NO.:



- GENERAL NOTES**
- TOTAL AREA OF THE VILLAGE-SECTION 1 = 3.7127 ACRES.
 - GROSS AREA = 3.89 ACRES.
 - EXISTING ROAD OF PROPERTY - "DR-10".
 - EXISTING USE OF PROPERTY - 2 SIX STORY BRICK CONDOMINIUM BUILDINGS WITH UNDERGROUND PARKING.
 - PUBLIC UTILITIES SERVE THE SITE FROM HOOKS LANE & PARK HEIGHTS AVENUE.
 - PRIVATE UTILITIES SERVE "THE VILLAGE-SECTION 1".
 - SITE ACCESS IS BY WAY OF PRIVATE ROADS (GRANARY DRIVE) FROM HOOKS LANE.
 - TRASH COLLECTION IS BY A PRIVATE CONTRACTOR. PROPOSED ANCILLARY USE OF A PORTION OF THE PROPERTY IS A "DELL ATLANTIC MOBILE CELLULAR TELEPHONE FACILITY" (SPECIAL EXCEPTION REQUIRED).
 - MOBILE CELLULAR TELEPHONE FACILITY:
 - SWITCHING GEAR AND EQUIPMENT WILL BE LOCATED & HOUSED IN THE BASEMENT OF THE "EAST" BUILDING IN ITS NORTHEAST CORNER (SEE SITE PLAN).
 - ANTENNAS WILL BE "WALL MOUNTED" ON THE SIDE WALLS OF THE ELEVATOR & EQUIPMENT PENTHOUSE. ANTENNAS WILL NOT EXTEND ABOVE THE PENTHOUSE ROOF. (SEE SITE PLAN FOR PENTHOUSE LOCATION. SEE PENTHOUSE ELEVATION FOR ANTENNA DETAIL).
 - THERE IS NO REQUIREMENT BY DELL ATLANTIC FOR OFF-STREET PARKING.
 - THERE WILL BE NO INTERFERENCE TO OR REMOVAL OF EXISTING LANDSCAPING ON THE PROPERTY.
 - THERE WILL BE NO INTERFERENCE TO THE EXISTING OPEN SPACE ON THE PROPERTY.
 - AREA OF PROPERTY FOR THE "SPECIAL EXCEPTION" IS 0.1293 ACRES.
 - EXISTING BUILDING HEIGHT FROM FINISHED GRADE TO THE ROOF PARAPET IS AN AVERAGE OF 65'.

PETITIONER'S EXHIBIT 1

SITE INFORMATION
 ELECTION DISTRICT: 3
 CONGRESSIONAL DISTRICT: 2
 CENSUS TRACT: 403701
 DEED REF: T936-026
 ACCT NO: 14 09-040010

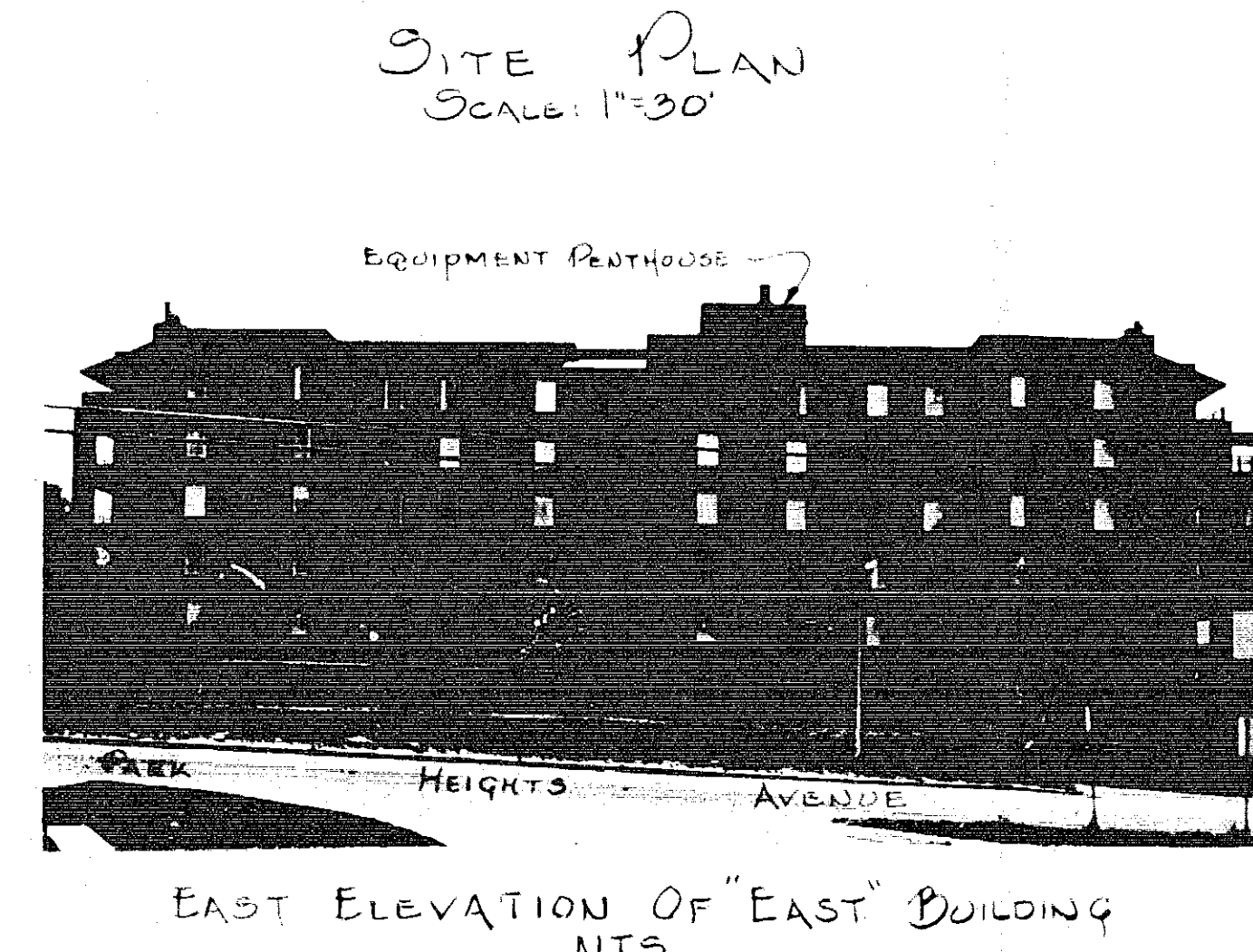
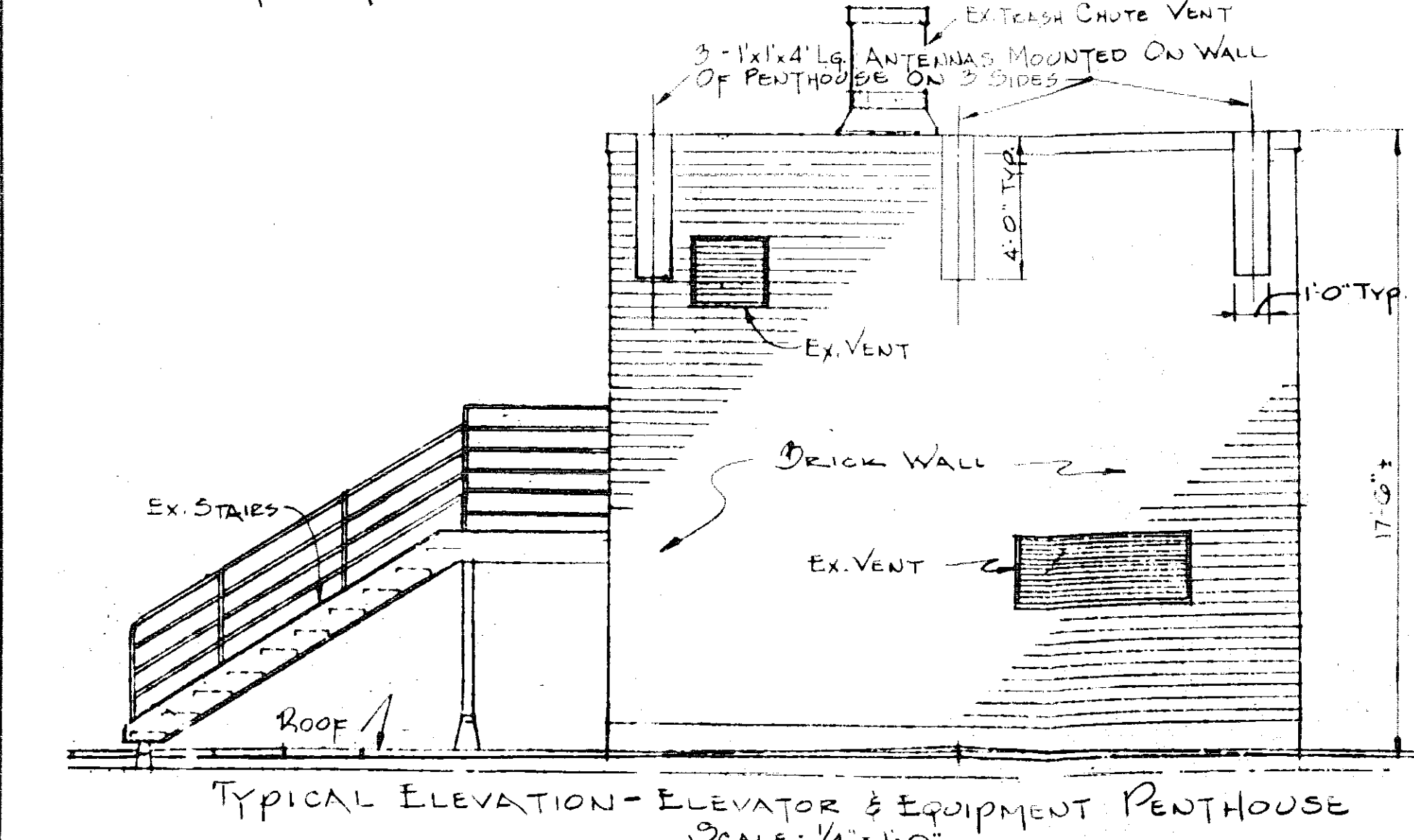
PETITIONER
 DELL ATLANTIC MOBILE
 5631 BALTIMORE NATIONAL PKWY
 CATONSVILLE, MARYLAND 21228
 ATTN: RICHARD W. GOODMAN 410-404-4441

[Signature]

PRIOR ZONING CASES ON THE SITE

- CASE NO. 63-100-RX:
 PETITION FOR RECLASSIFICATION OF PROPERTY FROM "R-20" & "R-40" ZONES TO AN "RA" ZONE. SPECIAL EXCEPTION FOR ELEVATOR APARTMENT BUILDINGS. GRANTED BY BALTIMORE CO. BOARD OF APPEALS JUNE 11, 1964.
 GRANTED BY THE COURT OF APPEALS OF MARYLAND FEB. 2, 1966.
- CASE NO. 82-5-SPH:
 PETITION FOR SPECIAL HEARING TO AMEND THE PARTIAL DEVELOPMENT PLAN OF THE VILLAGE-SECTIONS 1, 2, 3 & 4 TO EXPAND THE EXIST. SWIMMING POOL DECK (AMENDMENT NO. 97). AMENDMENT NO. 97 GRANTED AUG. 28, 1981.
 SUBJECT TO THE PLAN BEING APPROVED BY THE DIRECTOR OF THE OFFICE OF PLANNING AND ZONING AND THE ZONING COMMISSIONER.

- WIRELESS TRANSMITTING & RECEIVING FACILITIES NOTES**
- ENVIRONMENTAL PROTECTION AGENCY STANDARDS AND GUIDELINES RELATING TO RADIATION EMISSIONS WILL BE MET AT ALL TIMES.
 - WHEN THE USE IS TERMINATED THE EQUIPMENT WILL BE REMOVED.
 - EVERY 5 YEARS, OR SOONER IN THE EVENT OF SUBSTANTIAL DAMAGE, A CERTIFICATION BY A PROFESSIONAL ENGINEER REGISTERED IN MD WILL BE FILED WITH THE DEPARTMENT OF PERMITS & LICENSES INDICATING THAT THE AFOREMENTIONED STRUCTURE MEETS ALL SAFETY REQUIREMENTS. ANY UPGRADING OR MAINTENANCE REQUIRED TO COMPLY WITH ANY CHANGES IN THE SAFETY REQUIREMENTS, OR TO MAINTAIN THE SAFETY THEREOF SHALL BE PERFORMED PRIOR TO THE FILING OF SUCH CERTIFICATION.
 - NO WHITE STROBOSCOPIC LIGHTS WILL BE USED.
 - AN ENVIRONMENTAL IMPACT STATEMENT WILL BE SUBMITTED TO THE ZONING COMMISSIONER.



SCHEDULE OF REVISIONS				
NO.	DESCRIPTION OF CHANGES	DRAWN BY	AUTH BY	ISSUE DATE
7				
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APPROVED BY:	DRAWING TITLE:	DRAWING ISSUE STATUS CURRENTLY - A - ISSUED FOR PRELIMINARY INFORMATION ONLY B - ISSUED FOR MUNICIPAL REVIEW/REVISIONS C - ISSUED FOR CONSTRUCTION PERMITS BIDS D - ISSUED FOR CONSTRUCTION E - (SPECIFY)
DIRECTOR IMPLEMENTATION:	DATE:	
PROJECT:		
PROPERTY OWNER:		

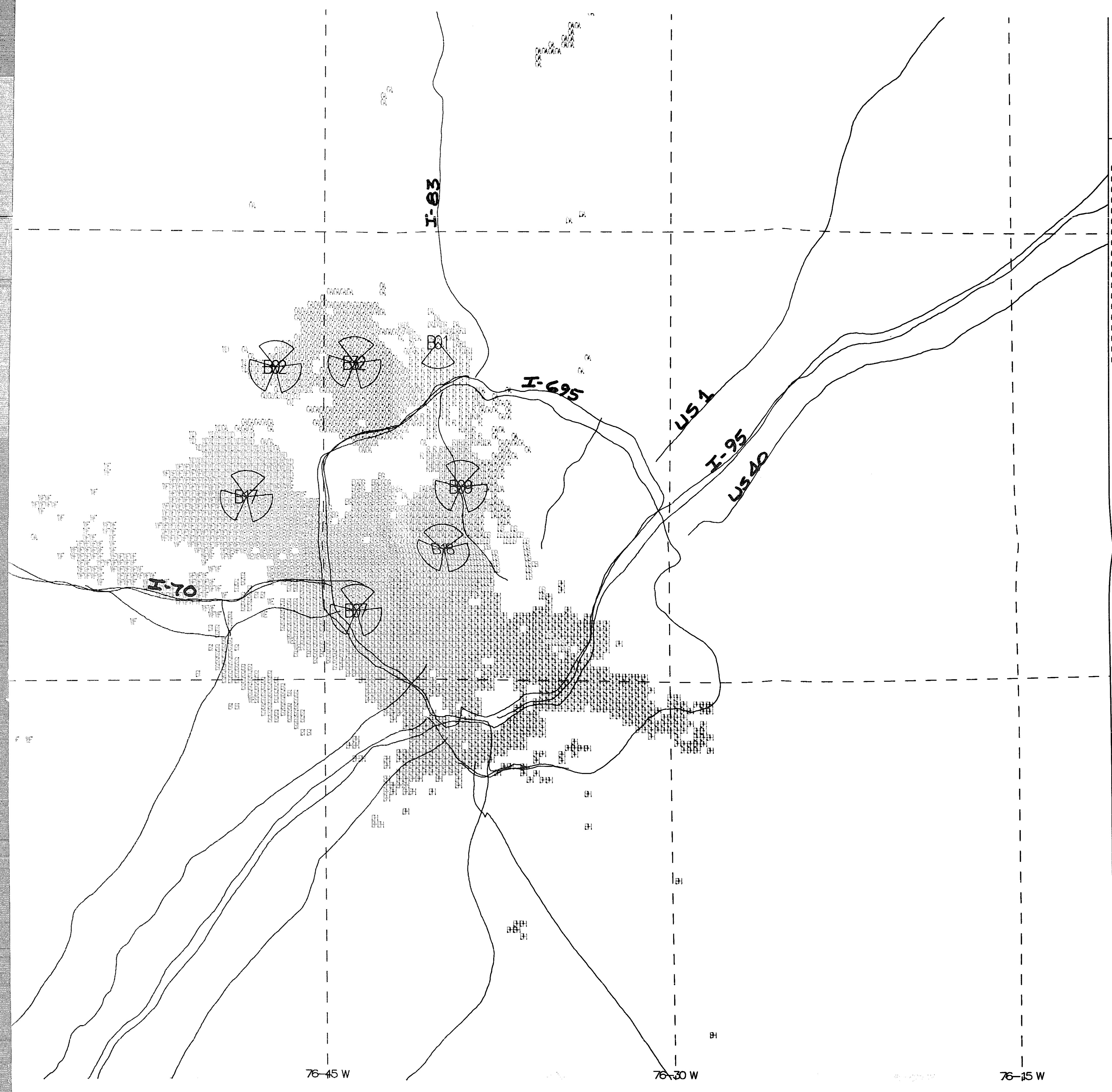
PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION
 PORTION OF NO. 1 GRISTMILL COURT VICINITY
 PARK HEIGHTS AVENUE & HOOKS LANE

PROPOSED CELLULAR TELEPHONE FACILITY - THE VILLAGE AT ANNEN WOODS, PINEVILLE, MARYLAND

PROPOSED CELLULAR TELEPHONE FACILITY - THE VILLAGE AT ANNEN WOODS, PINEVILLE, MARYLAND

PROPERTY OWNER: THE COUNCIL OF UNIT OWNERS OF ANNEN WOODS CONDOMINIUM NO. 1 NO. 1 GRISTMILL COURT, PINEVILLE, MD. 21208

FIRST ISSUE:	DRAWING NO.
DRAWN BY:	
CHECKED BY:	
SCALE: AS SHOWN	SHEET NO. 1 OF 1
PROJECT NO.	PRINT DATE:
DOCUMENT NO.	



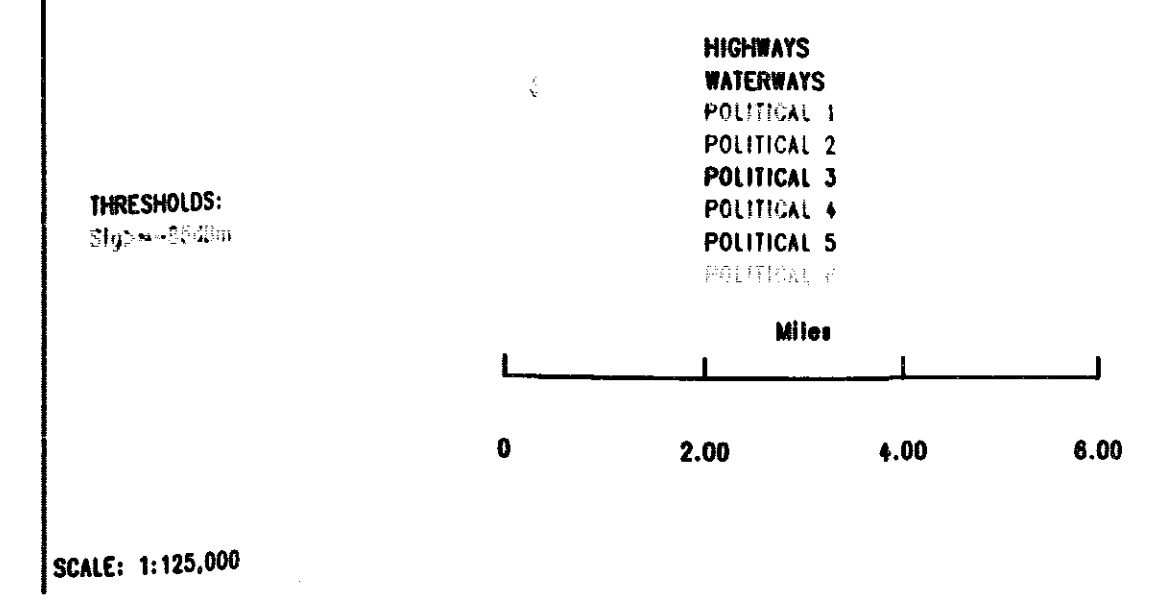
Bell Atlantic Mobile Systems
Baltimore/Washington
PIKESVILLE
PIKESVILLE TEST
COVERAGE:

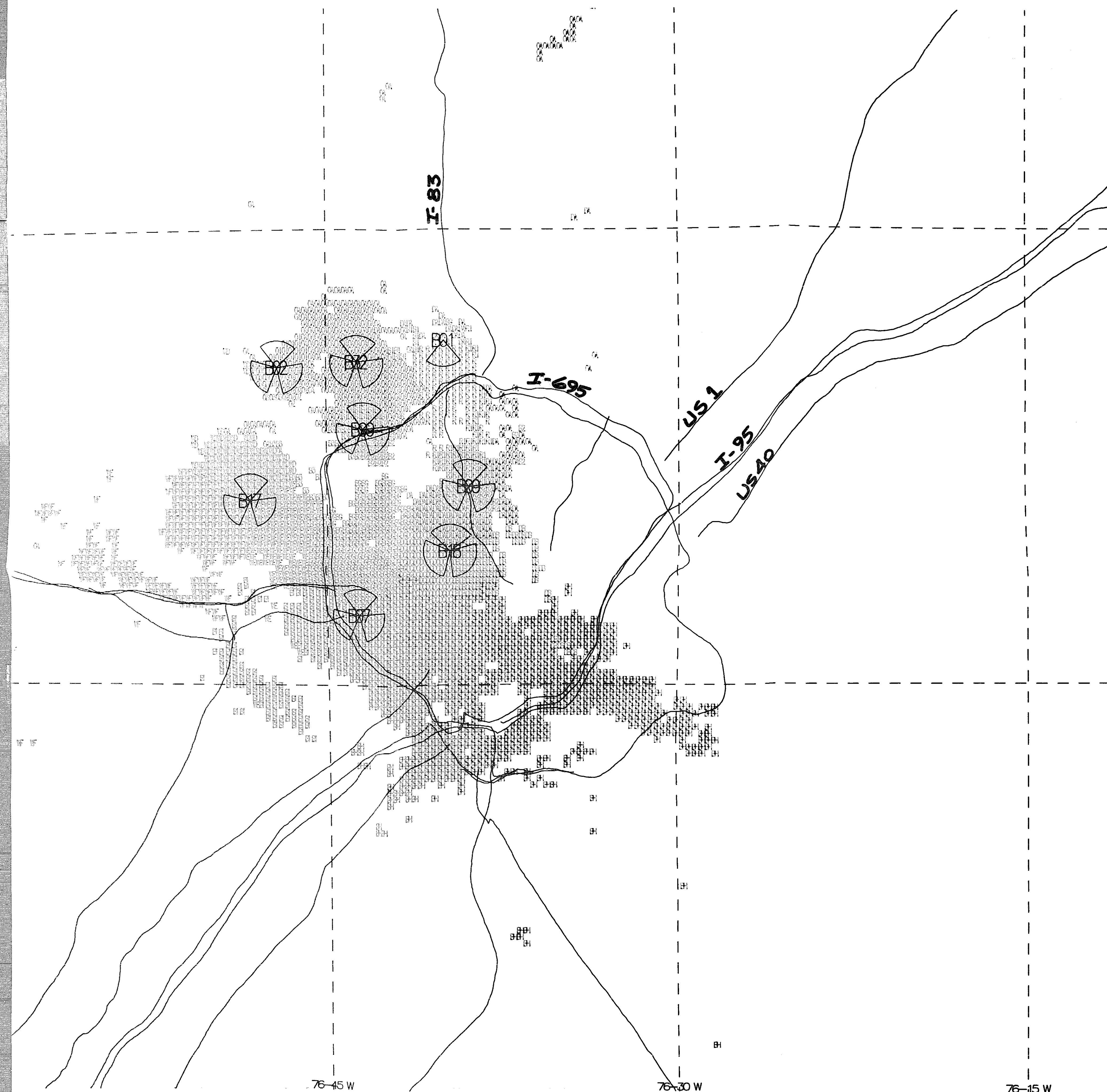
Petitioner's Ex 4.

PIKESVILLE "BEFORE"

07/20/93 18:03

ST	SN	NAME	NUMBER	S	LAT	LONG	GE	TXHT	ERP	CF	ORN	WID	DT
B01	R	RUNTON (0229)	C-BL01-00	V1	39-28-20 N	76-30-57 W	588	175	40	0.0	180	80	4 E
B02	O1	OWINGS MILLS (U91M)	C-BL02-33	V1	39-25-31 N	76-47-06 W	541	84	100	0.0	4	84	0 A
B02	O2	OWINGS MILLS (U91M)	C-BL02-33	V2	39-25-31 N	76-47-06 W	541	84	40	0.0	124	84	0 A
B02	O3	OWINGS MILLS (U91M)	C-BL02-33	V3	39-25-31 N	76-47-06 W	541	84	100	0.0	244	84	0 A
B07	BC	BLITZSO (F91M)	C-BL07-00	V1	39-17-17 N	76-43-38 W	689	197	40	0.0	4	80	0 A
B07	BH	BLITZSO (F91M)	C-BL07-00	V2	39-17-17 N	76-43-38 W	689	197	100	0.0	124	80	0 A
B07	BI	BLITZSO (F91M)	C-BL07-00	V3	39-17-17 N	76-43-38 W	689	197	40	0.0	244	80	0 A
B09	R1	ROLANDPK (FG)	C-BL09-00	V1	39-21-33 N	76-38-56 W	308	77	100	0.0	4	80	0 E
B09	R2	ROLANDPK (FG)	C-BL09-00	V2	39-21-33 N	76-38-56 W	308	77	40	0.0	124	80	0 E
B09	R3	ROLANDPK (FG)	C-BL09-00	V3	39-21-33 N	76-38-56 W	308	77	40	0.0	244	80	0 E
B17	WD	WOODLAWN (FUJ)	C-BL17-00	V1	39-21-12 N	76-48-19 W	489	250	100	0.0	4	80	0 A
B17	WE	WOODLAWN (FUJ)	C-BL17-00	V2	39-21-12 N	76-48-19 W	489	250	100	0.0	124	80	0 A
B17	WF	WOODLAWN (FUJ)	C-BL17-00	V3	39-21-12 N	76-48-19 W	489	250	100	0.0	244	80	0 A
B18	DA	DRUIDPK (FG)	C-BL18-00	V1	39-19-27 N	76-39-44 W	364	167	100	0.0	4	100	0 A
B18	DB	DRUIDPK (FG)	C-BL18-00	V2	39-19-27 N	76-39-44 W	364	167	40	0.0	124	100	0 A
B18	DC	DRUIDPK (FG)	C-BL18-00	V3	39-19-27 N	76-39-44 W	364	167	100	0.0	244	100	0 A
B32	DA	GREENSPRING (GUJ)	C-BL32-00	V1	39-25-40 N	76-43-42 W	588	167	100	0.0	4	84	0 A
B32	DB	GREENSPRING (GUJ)	C-BL32-00	V2	39-25-40 N	76-43-42 W	588	167	100	0.0	124	84	0 A
B32	DC	GREENSPRING (GUJ)	C-BL32-00	V3	39-25-40 N	76-43-42 W	588	167	100	0.0	244	84	0 A





Bell Atlantic Mobile Systems

Baltimore/Washington

PIKESVILLE

PIKESVILLE TEST

COVERAGE:

PIKESVILLE "AFTER"

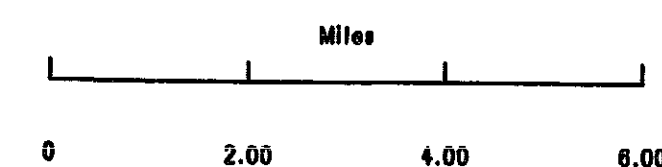
07/20/93 14:28

ST	SN	NAME	NUMBER	S	LAT	LONG	DE	TXHT	ERP	CF	ORN	WID	DT
							ft	ft	W	dB	'IN		
B99	B1	PIKESVILLE BLT FGU	C-BL-99-44V1		39-23-28 N	76-43-27 W	549	70	100	0.0	4	80	0 E
B99	B2	PIKESVILLE BLT FGU	C-BL-99-44V2		39-23-28 N	76-43-27 W	549	70	100	0.0	124	80	0 E
B99	B3	PIKESVILLE BLT FGU	C-BL-99-44V3		39-23-28 N	76-43-27 W	549	70	100	0.0	244	80	0 E
B01	R	RUXTON (G92B)	C-BL01-00 V1		39-26-20 N	76-39-57 W	588	175	40	0.0	180	80	4 E
B02	O1	OWINGS MILLS (U91M)	C-BL02-33 V1		39-25-31 N	76-47-06 W	541	64	100	0.0	4	84	0 W
B02	O2	OWINGS MILLS (U91M)	C-BL02-33 V2		39-25-31 N	76-47-06 W	541	64	40	0.0	124	84	0 W
B02	O3	OWINGS MILLS (U91M)	C-BL02-33 V3		39-25-31 N	76-47-06 W	541	64	100	0.0	244	84	0 W
B07	06	BLTWISO (F91M)	C-BL07-00 V1		39-17-17 N	76-43-38 W	689	197	40	0.0	4	80	0 W
B07	07	BLTWISO (F91M)	C-BL07-00 V2		39-17-17 N	76-43-38 W	689	197	100	0.0	124	80	0 W
B07	08	BLTWISO (F91M)	C-BL07-00 V3		39-17-17 N	76-43-38 W	689	197	40	0.0	244	80	0 W
B08	R1	ROLANDPK (FG)	C-BL08-00 V1		39-21-33 N	76-38-56 W	308	77	100	0.0	4	80	0 E
B08	R2	ROLANDPK (FG)	C-BL08-00 V2		39-21-33 N	76-38-56 W	308	77	40	0.0	124	80	0 E
B08	R3	ROLANDPK (FG)	C-BL08-00 V3		39-21-33 N	76-38-56 W	308	77	40	0.0	244	80	0 E
B17	WD	WOODLAWN (FJU)	C-BL17-00 V1		39-21-12 N	76-48-19 W	489	250	100	0.0	4	80	0 W
B17	WE	WOODLAWN (FJU)	C-BL17-00 V2		39-21-12 N	76-48-19 W	489	250	100	0.0	124	80	0 W
B17	WF	WOODLAWN (FJU)	C-BL17-00 V3		39-21-12 N	76-48-19 W	489	250	100	0.0	244	80	0 W
B18	DB	DRUIDPK (FG)	C-BL18-00 V1		39-18-27 N	76-39-44 W	364	167	100	0.0	4	100	0 W
B18	DC	DRUIDPK (FG)	C-BL18-00 V2		39-18-27 N	76-39-44 W	364	167	40	0.0	124	100	0 W
B18	DD	DRUIDPK (FG)	C-BL18-00 V3		39-18-27 N	76-39-44 W	364	167	100	0.0	244	100	0 W
B32	0A	GREENSPRING (GUJ)	C-BL32-00 V1		39-25-40 N	76-43-42 W	568	167	100	0.0	4	84	0 W
B32	0A	GREENSPRING (GUJ)	C-BL32-00 V2		39-25-40 N	76-43-42 W	568	167	100	0.0	124	84	0 W
B32	0A	GREENSPRING (GUJ)	C-BL32-00 V3		39-25-40 N	76-43-42 W	568	167	100	0.0	244	84	0 W

Petitioner's Ex 4

THRESHOLDS:
50 dBm-25 dBm

HIGHWAYS
WATERWAYS
POLITICAL 1
POLITICAL 2
POLITICAL 3
POLITICAL 4
POLITICAL 5
POLITICAL 6



SCALE: 1:125,000